

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ASHLEY MOWERY,)	
Plaintiff,)	
)	C.A. No. 19-44 Erie
)	
v.)	District Judge Susan Paradise Baxter
)	Magistrate Judge Richard A. Lanzillo
JOHN WETZEL, et al.,)	
Defendants.)	

MEMORANDUM ORDER

This action was commenced by Plaintiff’s filing of a *pro se* civil rights complaint accompanied by a motion for leave to proceed *in forma pauperis* (“ifp motion”) [ECF No. 1], on February 22, 2019. Named as Defendants in the complaint are John Wetzel, Secretary of the Pennsylvania Department of Corrections, and Lonnie Oliver, Superintendent at SCI-Cambridge Springs. This matter was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On June 11, 2019, Magistrate Judge Lanzillo issued a Report and Recommendation (“R&R”) recommending that Plaintiff’s ifp motion be granted and that this action be dismissed as legally frivolous in accordance with 28 U.S.C. § 1915(e) [ECF No. 9]. Plaintiff filed objections to the R&R on June 24, 2019, objecting solely to her lack of legal counsel, rather than the substance of the R&R itself [ECF No. 10].

After de novo review of the complaint, together with the Report and Recommendation, the following order is entered:

AND NOW, this 8th day of July, 2019;

IT IS HEREBY ORDERED that the Report and Recommendation of Magistrate Judge Lanzillo, issued June ii, 2019 [ECF No. 9], is adopted as the opinion of the Court, and this case is DISMISSED as frivolous pursuant to 28 U.S.C. § 1915(e). The Clerk is directed to mark this case CLOSED,

A handwritten signature in cursive script, reading "Susan Paradise Baxter".

SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
U.S. Magistrate Judge

all parties of record